

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10017934-1

*ITAC
2171*

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jerlyn R. Culp, et al.

Confirmation No.: 4439

Application No.: 09/966,122

Examiner: Leroux, Etienne P

Filing Date: 09/28/2001

Group Art Unit: 2171

Title: Electronic Calendaring Device



Mail Stop Petition
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Sir:

1. This application became abandoned on 10/02/2004.
2. This application became abandoned because the failure to prosecute was an unintentional delay.
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
3. Response or action required:
 has been filed on _____.
 is enclosed herewith.
 the response is the filing of a Continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.
4. Terminal disclaimer 37 CFR 1.137 (c):
 Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.
 A terminal disclaimer and disclaimer fee of \$110.00 disclaiming a period of equivalent to the period of abandonment is enclosed herewith.

Charge \$ 1370.00 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: 11/11/04
OR
() I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____

Number of pages:

Typed Name: Gloria L. Knox

Signature:

Respectfully submitted,

Jerlyn R. Culp, et al.

By

Robert A. Blaha

Attorney/Agent for Applicant(s)
Reg. No.: 43,502

Date: 11/11/04
Telephone: (770) 933-9500

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

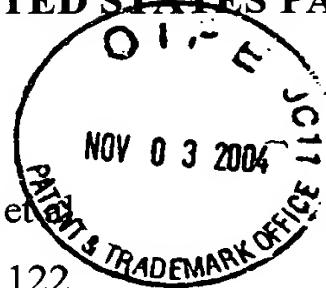
In re Application of:

Jerlyn R. Culp et al.

Serial No.: 09/966,122

Filed: September 28, 2001

For: **ELECTRONIC CALENDARING DEVICE**



Confirmation No.: 4439

Group Art Unit: 2171

Examiner: Leroux, Etienne Pierre

Docket No. 10017934-1

PETITION TO REVIVE ABANDONED APPLICATION UNDER § 1.137(b)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We hereby petition to revive the above-identified application from abandonment in accordance with 37 CFR § 1.137(b). The entire delay in filing the required reply from the due date for the reply until the filing of the accompanying petition was unintentional.

The assignee of the application received a final Office Action from the United States Patent and Trademark Office (USPTO) mailed April 2, 2004. In response thereto, we submitted amendments and remarks with a certificate of mailing date of June 2, 2004, which was within two months of the mailing date of the Final Rejection, thereby extending the statutory period to the mailing date of an Advisory Action. (See Appendix A.) Shortly after filing the amendments and remarks, we received a return postcard from the USPTO showing receipt in the USPTO of the after-final response (See Appendix B).

At that time, we were under the assumption that the USPTO would reply to our after final response and we waited for such reply. While waiting for a reply from the USPTO, we unintentionally let the six-month statutory period expire.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail for delivery with proper postage thereon to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 11/1/04

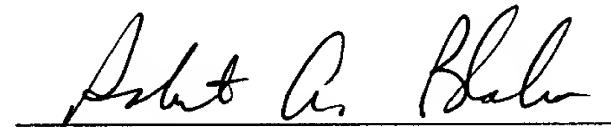
Gloria L. Knox

On October 28, 2004, our client informed us that the Examiner reviewed the after final response and issued an Advisory Action, in which, the Examiner indicated that the amendments after final rejection were not entered and the application would not be allowed. Therefore, having unintentionally waited beyond the statutory six-month period to reply, we hereby submit this petition to revive the application from abandonment. In accordance with 37 CFR § 1.137(b), Applicants hereby petition to revive the application and include (1) the required reply to the final Office Action; (2) the petition fee as set forth in § 1.17(m) - \$1,370.00; and (3) the required statement as set forth above.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By:



Robert A. Blaha
Registration No. 43,502

**THOMAS, KAYDEN, HORSTEMEYER
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/966,122	09/28/2001	Jertyn R. Culp	10017934-1	4439

7590 04/02/2004

HEWLETT-PACKARD COMPANY
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PATENT & TRADEMARK OFFICE

EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

US ACTION _____
DUE DATE _____
Paper Dated _____
OA _____ Final
Msg. Pl. _____ Dwgs _____
Appeal _____ Issue Fee _____
Other _____

Office Action Summary	Application No.	Applicant(s)						
	08/966,122	CULP ET AL						
Period for Reply	Examiner	Art Unit						
	Etienne P LeRoux	2171						
<p><i>- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -</i></p>								
<p>A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.</p> <ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 								
<p>Status</p> <p>1)<input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>27 February 2004</u>.</p> <p>2a)<input checked="" type="checkbox"/> This action is FINAL. 2b)<input type="checkbox"/> This action is non-final.</p> <p>3)<input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213.</p>								
<p>Disposition of Claims</p> <p>4)<input checked="" type="checkbox"/> Claim(s) <u>1-3,5-11,14-17 and 20-30</u> is/are pending in the application.</p> <p>4a) Of the above claim(s) _____ is/are withdrawn from consideration.</p> <p>5)<input type="checkbox"/> Claim(s) _____ is/are allowed.</p> <p>6)<input checked="" type="checkbox"/> Claim(s) <u>1-3,5-11,14-17 and 20-30</u> is/are rejected.</p> <p>7)<input type="checkbox"/> Claim(s) _____ is/are objected to.</p> <p>8)<input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement.</p>								
<p>Application Papers</p> <p>9)<input type="checkbox"/> The specification is objected to by the Examiner.</p> <p>10)<input checked="" type="checkbox"/> The drawing(s) filed on <u>28 September 2001</u> is/are: a)<input checked="" type="checkbox"/> accepted or b)<input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).</p> <p>11)<input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.</p>								
<p>Priority under 35 U.S.C. §§ 119 and 120</p> <p>12)<input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)<input type="checkbox"/> All b)<input type="checkbox"/> Some * c)<input type="checkbox"/> None of: 1.<input type="checkbox"/> Certified copies of the priority documents have been received. 2.<input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3.<input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.</p> <p>13)<input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. a)<input type="checkbox"/> The translation of the foreign language provisional application has been received.</p> <p>14)<input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.</p>								
<p>Attachment(s)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">1)<input type="checkbox"/> Notice of References Cited (PTO-892)</td> <td style="width: 50%;">4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____</td> </tr> <tr> <td>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</td> <td>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</td> </tr> <tr> <td>3)<input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____</td> <td>6)<input type="checkbox"/> Other: _____</td> </tr> </table>			1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____	2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)	3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____
1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____							
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)							
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____	6) <input type="checkbox"/> Other: _____							

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3, 20-23, 25, 26 and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 6,101,480 issued to Conmy et al (hereafter Conmy).

Claims 1, 20-23, 25, 26 and 28-30:

Conmy '480 discloses:

- an interface [server 204, Fig 1] configured to receive a calendar source list generated by a first party, the calendar source list comprising at least one of a source, a delivery format, and a delivery method, wherein the source includes information compiled by a second party [calendar file for each invitee, col 3, lines 40-45]
- a collection and distribution unit for accessing the source and retrieving calendar data in accordance with said calendar source list via said interface [internet, Fig 1]
- logic configured to incorporate retrieved calendar data into a calendar database in accordance with said calendar source list [coordinator schedules an event. col 3, lines 27-37]

Claim 3:

Conmy discloses wherein said calendar database is associated with a subscribing party and integrates calendar information from an unrelated calendar source [col 3, lines 38-43].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5-8, 10, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conmy in view of US Pat No 5,761,525 issued to Williams (hereafter Williams).

Claim 2:

Conmy discloses the elements of claim 1 as noted above.

Conmy fails to disclose capturing calendar information via optical character recognition.

Williams discloses capturing calendar information via optical character recognition [Fig 1, 118]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Conmy to include capturing calendar information via optical character recognition as taught by Williams.

The ordinarily skilled artisan would have been motivated to modify Conmy per the above for the purpose of inputting data which can be read by the processor [col 2, lines 60-65].

Claim 5:

The combination of Conmy and Williams discloses the elements of claim 2 as noted above.

Williams discloses a scanner [Fig 1, 118]

Claim 6:

The combination of Conmy and Williams discloses the elements of claim 2 as noted above.

Williams discloses wherein said logic is configured to convert said image information into a data file [col 2, lines 60-65]

Claim 7:

The combination of Conmy and Williams discloses the elements of claim 2 as noted above.

Williams discloses wherein logic is configured to convert said image information into text [col 2, lines 60-65]

Claim 8:

The combination of Conmy and Williams discloses the elements of claims 2 and 3 as noted above.

Williams discloses logic configured to transfer calendar information in accordance with the delivery format and delivery method [col 2, lines 60-65]

Claim 10:

The combination of Conmy and Williams discloses the elements of claims 2, 3 and 8 as noted above.

Williams discloses a local area network [Fig 1].

Claim 11:

The combination of Conmy and Williams discloses the elements of claims 2, 7 and 8 as noted above.

Conmy discloses a wide area network [Fig 1].

Claim 14:

Conmy discloses the elements of claim 1 as noted above.

Conmy fails to disclose wherein said calendar data comprises text format data.

Williams discloses text format data [Fig 3A, item 245 and col 4, lines 10-14]

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Conmy

Claim 15:

Conmy discloses the elements of claim 1 as noted above.

Conmy fails to disclose wherein said calendar data comprises vCard compliant data.

Official Notice is taken that vCard¹ compliant data is well-known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Williams '525 to include vCard compliant data for the purpose of converting optical character recognition data into editable format data.

Claims 9 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Conmy and Williams and further in view of Pub No US 2003/0004776 issued to Perella et al (hereafter Perella).

Claim 9:

The combination of Conmy and Williams discloses the elements of claims 2, 7 and 8 as noted above.

¹ Internet Engineering Task Force (IETF) publications RFC 2425 and RFC 2426.

The combination of Conmy and Williams fails to disclose wherein said interface comprises a wireless interface.

Perella discloses a wireless interface [abstract]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Conmy and Perella to include a wireless interface as taught by Perella.

The ordinarily skilled artisan would have been motivated to modify the combination of Conmy and Perella per the above for the purpose of providing suitable communications for a mobile device [abstract].

Claims 16, 17 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conmy in view of Pub No US 2002/0093540 issued to Mariani et al (hereafter Mariani).

Claim 16:

Conmy discloses the elements of claim 1 as noted above.

Conmy fails to disclose wherein said calendar data comprises html format data.

Mariani '540 discloses wherein said calendar data comprises html format data [paragraph 23]

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Conmy to include wherein said calendar data comprises html format data as taught by Mariani '540.

The ordinarily skilled artisan would have been motivated to modify Conmy per the above for the purpose of interfacing with the internet [paragraph 23].

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne LeRoux whose telephone number is (703) 305-0620. The examiner can normally be reached on Monday – Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahić, can be reached on (703) 308-1436.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Patent related correspondence can be forwarded via the following FAX number (703) 872-9306

Etienne LeRoux

3/31/2004



SAFET METJAHIC
SUPERVISOR EXAMINER
TECHNICIAN 100

Examiner is not persuaded. The following excerpt from Conn, column 3, lines 38-43 and 57-65 reads on supra claim limitation:

According to an embodiment of the present invention, some or all of the users and their network addresses for a plurality of domains are stored in a name and address database or file, preferably on a server associated with that domain. Stored with each name and address file is a calendar file and a profile for a plurality of potential invitees.

5

FIG. 1 depicts a system according to an embodiment of the present invention. According to this embodiment, the system of FIG. 1 may comprise one or more databases 200 having stored thereon one or more profiles 202, one or more calendar files 210 and one or more name and addresses files 212.

6

Name and addresses files 212 may comprise a list all of the names and electronic mail addresses for a plurality or all of the users on an electronic calendar system. A name and address file may be created for each invitee. For example, conference rooms, equipment, and other resources may be included as invitees.

7

Profiles 202 may comprise information regarding each invitee's work hours on a day to day basis (and hence his or her non-work hours), as well as the time zone in which he or she works, the physical location where he or she works, and the hours of that location. Other availability information about each invitee may be stored in the profile 202.

Other Applicant Arguments

Applicant repeats above argument on pages 13.

Examiner Response:

Applicant is referred to supra examiner response.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jerlyn R. Culp et al.

Serial No.: 09/966,122

Filed: September 28, 2001

For: ELECTRONIC CALENDARING DEVICE

Confirmation No.: 4439

Group Art Unit: 2171

Examiner: Leroux, Etienne Pierre

Docket No. 10017934-1

AMENDMENT AND RESPONSE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

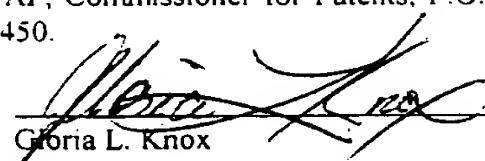
The final Office Action mailed April 2, 2004 (Paper No. 7) has been carefully considered. In response, please enter the following amendments and consider the following remarks.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 7 of this paper.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail for delivery with proper postage thereon to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 6/2/04
Gloria L. Knox

AUTHORIZATION TO DEBIT DEPOSIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard's Deposit Account No. 08-2025.

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings of claims in the application:

- 1 1. (Currently Amended) An electronic calendaring device comprising:
2 an interface configured to receive a calendar source list generated by a first party,
3 the calendar source list comprising ~~at least one of type, identification, and format source~~
4 ~~identifiers a source; a native format; a delivery format; and a delivery method;~~ wherein
5 the source includes information compiled by ~~a second party an organization-of-interest to~~
6 the first party;
7 a collection and distribution unit for accessing the source and retrieving calendar
8 data in accordance with said calendar source list via said interface; and
9 logic configured to incorporate retrieved calendar data into a calendar database
10 ~~associated with the first party in the native format in accordance with said calendar~~
11 ~~source list~~.

- 1 2. (Previously Presented) The electronic calendaring device of claim 1,
2 further comprising:
3 an optical device coupled to the interface, wherein said optical device captures an
4 image of a hardcopy calendar source; and
5 wherein said logic converts image information to calendar information via optical
6 character recognition.

- 1 3. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar database is associated with a subscribing party and integrates
3 calendar information from an unrelated calendar source.

- 1 4. (Canceled)

- 1 5. (Previously Presented) The electronic calendaring device of claim 2,
2 wherein said optical device comprises a scanner.

1 6. (Previously Presented) The electronic calendaring device of claim 2,
2 wherein said logic is configured to convert said image information into a data file.

1 7. (Previously Presented) The electronic calendaring device of claim 2,
2 wherein logic is configured to convert said image information into a text file.

1 8. (Previously Presented) The electronic calendaring device of claim 3,
2 further comprising:

3 logic configured to transfer calendar information in accordance with the delivery
4 format and delivery method.

1 9. (Previously Presented) The electronic calendaring device of claim 8,
2 wherein said interface comprises a wireless interface.

1 10. (Previously Presented) The electronic calendaring device of claim 8,
2 wherein said logic configured to transfer calendar information is coupled to a subscriber
3 via said interface and a local area network.

1 11. (Previously Presented) The electronic calendaring device of claim 8,
2 wherein said logic configured to transfer calendar information is coupled to a subscriber
3 via said interface and a wide area network.

1 12. - 13.. (Canceled)

1 14. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises text format data.

1 15. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises vCard compliant data.

1 16. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises html format data.

1 17. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises data specifying a World Wide Web address
3 associated with a calendar source.

1 18. - 19. (Canceled)

1 20. (Currently Amended) A method for producing a personalized composite
2 calendar from a first calendar and calendar information from at least one organization-of-
3 interest to a party associated with the first calendar, comprising ~~the steps of:~~

4 ~~generating identifying a calendar source list associated with a party, the calendar~~
5 ~~source list comprising:~~

6 type, identification, and format identifiers associated with a source made
7 available by the at least one organization-of-interest to a party;

8 a native format of the first calendar;

9 a delivery format; and

10 a delivery method, ~~wherein the source includes information compiled by~~
11 ~~an entity other than the party;~~

12 integrating information from the source in accordance with the calendar source
13 list to generate a the personalized composite calendar in the native format; and

14 forwarding the composite calendar in accordance with the delivery format and the
15 delivery method the calendar source list.

1 21. (Currently Amended) The method of claim 20, wherein integrating
2 information from the source comprises identifying the a source type.

1 22. (Previously Presented) The method of claim 20, wherein integrating
2 information from the source comprises identifying a receive format.

1 23. (Previously Presented) The method of claim 22, wherein the receive
2 format is different from the delivery format.

1 24. (Previously Presented) The method of claim 20, wherein integrating
2 information from the source comprises identifying a calendar source location on a
3 network.

1 25. (Previously Presented) The method of claim 20, wherein integrating
2 information from the source comprises scanning image information from a representation
3 of a calendar.

1 26. (Currently Amended) The method of claim 25, further comprising:
2 translating the image information into the native ~~a predetermined~~ format.

1 27. (Previously Presented) The method of claim 20, wherein forwarding the
2 composite calendar comprises transmitting a representation of the composite calendar via
3 a wireless medium.

1 28. (Previously Presented) The method of claim 20, wherein forwarding the
2 composite calendar comprises transmitting a representation of the composite calendar via
3 a wired medium.

1 29. (Currently Amended) The method of claim 20, wherein forwarding the
2 composite calendar comprises transmitting a representation of the composite calendar ~~in~~
3 ~~the delivery format~~.

1 30. (Currently Amended) The method of claim 20, wherein forwarding the
2 composite calendar comprises conveying a representation of the composite calendar
3 ~~using the delivery method~~.

REMARKS

This paper includes a complete and timely response to the final Office Action mailed April 2, 2004 (Paper No. 7). Upon entry of the attached amendments, claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 remain pending. Claims 4, 12, 13, 18, and 19 have been canceled via previous amendments. Claims 1, 20, 21, 26, 29, and 30 have been amended. The subject matter in amended claims 1, 20, 21, 26, 29, and 30 is included in FIGs. 1 - 3, 4A, 4B, 5, and 6 and described in the corresponding portions of the detailed description. Consequently, no new matter is added to the present application.

Applicants respectfully submit that pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30, as amended, are patentable over the cited art of record. Accordingly, reconsideration and allowance of the application and presently pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 are respectfully requested.

Each rejection presented in the final Office Action mailed April 2, 2004 is discussed in the following remarks.

I. Claim Rejections under 35 U.S.C. §102(b) - Claims 1, 3, 20 - 23, 25, 26, and 28 - 30

A. Statement of the Rejection

Claims 1, 3, 20 - 23, 25, 26, and 28 - 30 presently stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by Conmy *et al.* (U.S. Patent No. 6,101,480, hereafter “Conmy.”)

B. Discussion of the Rejection

1. Claims 1 and 3

Applicants respectfully submit that claim 1, as amended, is patentable for at least the reason that the cited reference fails to disclose, teach, or suggest each limitation in the amended claim.

It is well established that “anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 Fed 2d 1540, 220 U.S.P.Q. 303, 313 (Fed Cir 1983). The cited reference fails to meet the requirement of a single prior art reference that discloses, teaches, or suggests each feature of the claimed invention.

Claim 1 is directed to an electronic calendaring device. The calendaring device comprises “an interface configured to receive a calendar source list generated by a first party, the calendar source list comprising type, identification, and format source identifiers; a native format; a delivery format; and a delivery method ...” For at least the reason that *Conmy* does not disclose, teach, or suggest a calendar source list that comprises type, identification, and format source identifiers; a native format; a delivery format; and a delivery method, *Conmy* fails to anticipate Applicants’ claim 1.

In contrast with the presently claimed calendaring device, the system for scheduling time intervals for a plurality of users on a network apparently described in *Conmy* includes invitee addresses, invitee calendars, and profiles. *Conmy* accesses user profiles in response to a request by a meeting organizer that wants to schedule a meeting that should be attended by identified users. The accessed user profiles include information regarding available and unavailable time frames for each respective user. Invitee addresses, calendars, and profiles do not disclose, teach, or suggest a calendar source list that comprises type, identification, and format source identifiers; a native format; a delivery format; and a delivery method. Accordingly, *Conmy* does not anticipate Applicants’ independent claim 1.

Because independent claim 1 is allowable, dependent claim 3, which depends directly from claim 1, is also allowable for at least the same reasons as claim 1. See *In re Fine*, 837, F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 1 and 3 be withdrawn.

2. Claims 20 - 23, 25, 26, and 28 - 30

Applicants respectfully submit that claims 20 - 23, 25, 26, and 28 - 30, as amended, are patentable for at least the reason that the cited reference fails to disclose, teach, or suggest each limitation in the amended claims.

Claim 20 is directed to a method for producing a personalized composite calendar from a first calendar and calendar information from at least one organization-of-interest to a party associated with the first calendar. The method comprises generating a calendar source list comprising type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a party. The source list further comprises a native format of the first calendar, a delivery format, and a delivery method. For at least the reason that *Conmy* does not disclose, teach, or suggest a calendar source list that comprises type, identification, and format identifiers associated

with a source made available by an organization-of-interest to a party, *Conmy* fails to anticipate Applicants' claim 20.

In contrast with the presently claimed method for producing a personalized composite calendar, the system for scheduling time intervals for a plurality of users on a network apparently described in *Conmy* retrieves availability information stored in user profiles and associated with invitees to a meeting.

Conmy does not create a composite calendar from a first calendar and calendar information from at least one organization-of-interest to a party. Furthermore, *Conmy* does not generate a calendar source list comprising type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a part. Moreover, *Conmy* does not generate a calendar source list that further comprises a native format of the first calendar, a delivery format, and a delivery method. For at least these reasons, *Conmy* does not anticipate Applicants' independent claim 20.

Because independent claim 20 is allowable, dependent claims 21 - 30, which depend either directly or indirectly from claim 20, are also allowable for at least the same reasons as claim 20. See *In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 20 - 23, 25, 26, and 28 - 30 be withdrawn.

II. Claim Rejections under 35 U.S.C. §103(a) - Claims 2, 5 - 11, 14, 16, 17, 24, and 27

A. Statement of the Rejections

The Office Action indicates that claims 2, 5 - 8, 10, 11, and 14 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Conmy* in view of U.S. Patent Number 5,761,525 to Williams ("Williams.")

The Office Action further indicates that claims 9 and 27 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Conmy* and *Williams* and further in view of publication number US 2003/0004776 issued to Perella *et al.* ("Perella.")

The Office Action further indicates that claims 16, 17, and 24 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Conmy* in view of publication number US 2002/0093540 to Mariani *et al.* ("Mariani.")

B. Discussion of the Rejections

Applicants respectfully submit that claims 2, 5 - 11, 14, 16, 17, 24, and 27, as amended, are patentable for at least the reason that the cited references fail to disclose, teach, or suggest each limitation in the claims.

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). The proposed combination fails to suggest all features of the claimed invention.

Claims 2, 5 - 11, 14, 16, 17 depend directly or indirectly from Applicants' independent claim 1. As discussed above, claim 1 includes "an interface configured to receive a calendar source list generated by a first party, the calendar source list comprising type, identification, and format source identifiers, a native format, a delivery format, and a delivery method, wherein the source includes information compiled by an organization-of-interest to the first party." As discussed above, *Conmy* fails to disclose, teach, or suggest at least this element. The remaining references fail to remedy the failure of *Conmy* to disclose, teach, or suggest the Applicants' claimed interface. Accordingly, claims 2, 5 - 11, 14, 16, 17 are allowable over the proposed combinations and the rejections should be withdrawn.

Claims 24 and 27 depend directly or indirectly from Applicants' independent claim 20. As discussed above, claim 20 includes "generating a calendar source list comprising: type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a party; a native format of the first calendar; a delivery format; and a delivery method." As discussed above, *Conmy* fails to disclose, teach, or suggest at least this element. The remaining references fail to remedy the failure of *Conmy* to disclose, teach, or suggest the Applicants' claimed calendar source list. Accordingly, claims 24 and 27 are allowable over the proposed combinations and the rejections should be withdrawn.

CONCLUSION

In summary, Applicants respectfully request that all outstanding claim rejections be withdrawn. Applicants respectfully submit that all pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 are allowable over the cited art and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comment regarding the Applicants' response or believe that a teleconference would expedite prosecution of the pending claims, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By:



Robert A. Blaha
Registration No. 43,502

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O I P E JUN 07 2004
NOV 03 2004
PATENT & TRADEMARK OFFICE
Serial No.: 09/966,122

Patent No.:

Applicant: Jerlyn R. Culp et al.

Title: ELECTRONIC CALENDARING DEVICE

Docket No.: 50820-1440

EM No.:

Filed: September 28, 2001

Issued:

C/M Date: 06/02/2004

Due Date: 07/02/2004

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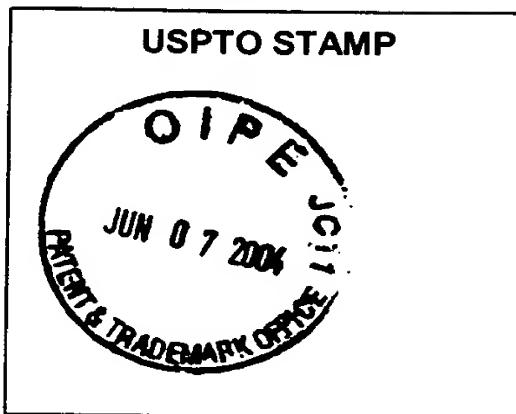
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- in duplicate

Responsible Atty: SAH/RAB

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Resp. Incomplete Application Papers

Copy - Not. Incomplete Appl. Papers

Declaration & Power of Attorney

Preliminary Amendment

Small Entity Status Claimed

IDS/Form 1449

Cited Reference(s) ()

Assignment/Assign't Cover Sheet

Terminal Disclaimer

Amendment Transmittal Page

Amendment and Response

Non-Final Final

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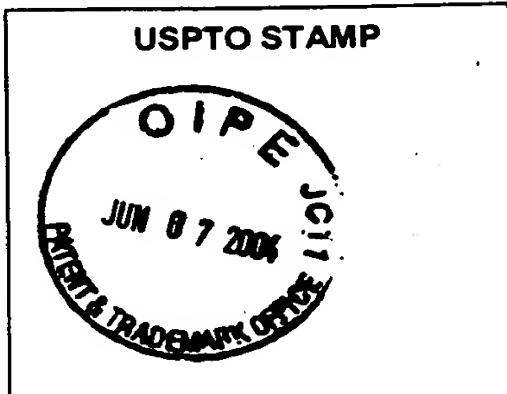
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- 3.5 7.5 11.5
- in duplicate

Responsible Atty: SAH/RAB

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jerlyn R. Culp et al.

Confirmation No.: 4439

Application No.: 09/966,122

Examiner: Leroux, Etienne P

Filing Date: 09/28/2001

Group Art Unit: 2171

Title: ELECTRONIC CALENDARING DEVICE

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450



TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	25	MINUS	25	= 0	X \$18	\$ 0
INDEP. CLAIMS	2	MINUS	3	= 0	X \$86	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Jerlyn R. Culp et al.

By Robert A. Blaha

Robert A. Blaha

Attorney/Agent for Applicant(s)
Reg. No. 43,502

Date: 06/02/2004

Date of Deposit: 06/02/2004

Typed Name: Gloria L. Knox

Signature: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Jerlyn R. Culp et al.

Serial No.: 09/966,122

Filed: September 28, 2001

For: ELECTRONIC CALENDARING DEVICE



Confirmation No.: 4439

Group Art Unit: 2171

Examiner: Leroux, Etienne Pierre

Docket No. 10017934-1

AMENDMENT AND RESPONSE

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The final Office Action mailed April 2, 2004 (Paper No. 7) has been carefully considered. In response, please enter the following amendments and consider the following remarks.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 7 of this paper.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail for delivery with proper postage thereon to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 6/2/04

A handwritten signature in black ink that appears to read "Gloria L. Knox".



AUTHORIZATION TO DEBIT DEPOSIT ACCOUNT

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard's Deposit Account No. 08-2025.

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions and listings of claims in the application:

- 1 1. (Currently Amended) An electronic calendaring device comprising:
2 an interface configured to receive a calendar source list generated by a first party,
3 the calendar source list comprising ~~at least one of type, identification, and format source~~
4 ~~identifiers a source, a native format; a delivery format; and a delivery method;~~ wherein
5 the source includes information compiled by ~~a second party an organization-of-interest to~~
6 ~~the first party;~~
7 a collection and distribution unit for accessing the source and retrieving calendar
8 data in accordance with said calendar source list via said interface; and
9 logic configured to incorporate retrieved calendar data into a calendar database
10 ~~associated with the first party in the native format in accordance with said calendar~~
11 ~~source list.~~

- 1 2. (Previously Presented) The electronic calendaring device of claim 1,
2 further comprising:
3 an optical device coupled to the interface, wherein said optical device captures an
4 image of a hardcopy calendar source; and
5 wherein said logic converts image information to calendar information via optical
6 character recognition.

- 1 3. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar database is associated with a subscribing party and integrates
3 calendar information from an unrelated calendar source.

- 1 4. (Canceled)

- 1 5. (Previously Presented) The electronic calendaring device of claim 2,
2 wherein said optical device comprises a scanner.

1 6. (Previously Presented) The electronic calendaring device of claim 2,
2 wherein said logic is configured to convert said image information into a data file.

1 7. (Previously Presented) The electronic calendaring device of claim 2,
2 wherein logic is configured to convert said image information into a text file.

1 8. (Previously Presented) The electronic calendaring device of claim 3,
2 further comprising:

3 logic configured to transfer calendar information in accordance with the delivery
4 format and delivery method.

1 9. (Previously Presented) The electronic calendaring device of claim 8,
2 wherein said interface comprises a wireless interface.

1 10. (Previously Presented) The electronic calendaring device of claim 8,
2 wherein said logic configured to transfer calendar information is coupled to a subscriber
3 via said interface and a local area network.

1 11. (Previously Presented) The electronic calendaring device of claim 8,
2 wherein said logic configured to transfer calendar information is coupled to a subscriber
3 via said interface and a wide area network.

1 12. - 13. (Canceled)

1 14. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises text format data.

1 15. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises vCard compliant data.

1 16. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises html format data.

1 17. (Previously Presented) The electronic calendaring device of claim 1,
2 wherein said calendar data comprises data specifying a World Wide Web address
3 associated with a calendar source.

1 18. - 19. (Canceled)

1 20. (Currently Amended) A method for producing a personalized composite
2 calendar from a first calendar and calendar information from at least one organization-of-
3 interest to a party associated with the first calendar, comprising ~~the steps of:~~

4 ~~generating identifying a calendar source list associated with a party, the calendar~~
5 ~~source list comprising:~~

6 type, identification, and format identifiers associated with a source made
7 available by the at least one organization-of-interest to a party;

8 a native format of the first calendar;

9 a delivery format; and

10 a delivery method, wherein the source includes information compiled by
11 an entity other than the party;

12 integrating information from the source in accordance with the calendar source

13 list to generate a the personalized composite calendar in the native format; and

14 forwarding the composite calendar in accordance with the delivery format and the
15 delivery method the calendar source list.

1 21. (Currently Amended) The method of claim 20, wherein integrating
2 information from the source comprises identifying the a source type.

1 22. (Previously Presented) The method of claim 20, wherein integrating
2 information from the source comprises identifying a receive format.

1 23. (Previously Presented) The method of claim 22, wherein the receive
2 format is different from the delivery format.

1 24. (Previously Presented) The method of claim 20, wherein integrating
2 information from the source comprises identifying a calendar source location on a
3 network.

1 25. (Previously Presented) The method of claim 20, wherein integrating
2 information from the source comprises scanning image information from a representation
3 of a calendar.

1 26. (Currently Amended) The method of claim 25, further comprising:
2 translating the image information into the native a predetermined format.

1 27. (Previously Presented) The method of claim 20, wherein forwarding the
2 composite calendar comprises transmitting a representation of the composite calendar via
3 a wireless medium.

1 28. (Previously Presented) The method of claim 20, wherein forwarding the
2 composite calendar comprises transmitting a representation of the composite calendar via
3 a wired medium.

1 29. (Currently Amended) The method of claim 20, wherein forwarding the
2 composite calendar comprises transmitting a representation of the composite calendar in
3 the delivery format.

1 30. (Currently Amended) The method of claim 20, wherein forwarding the
2 composite calendar comprises conveying a representation of the composite calendar
3 using the delivery method.

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In contrast with the presently claimed calendaring device, the system for scheduling time intervals for a plurality of users on a network apparently described in *Conmy* includes invitee addresses, invitee calendars, and profiles. *Conmy* accesses user profiles in response to a request by a meeting organizer that wants to schedule a meeting that should be attended by identified users. The accessed user profiles include information regarding available and unavailable time frames for each respective user. Invitee addresses, calendars, and profiles do not disclose, teach, or suggest a calendar source list that comprises type, identification, and format source identifiers; a native format; a delivery format; and a delivery method. Accordingly, *Conmy* does not anticipate Applicants' independent claim 1.

Because independent claim 1 is allowable, dependent claim 3, which depends directly from claim 1, is also allowable for at least the same reasons as claim 1. *See In re Fine*, 837, F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 1 and 3 be withdrawn.

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with a source made available by an organization-of-interest to a party, *Conmy* fails to anticipate Applicants' claim 20.

In contrast with the presently claimed method for producing a personalized composite calendar, the system for scheduling time intervals for a plurality of users on a network apparently described in *Conmy* retrieves availability information stored in user profiles and associated with invitees to a meeting.

Conmy does not create a composite calendar from a first calendar and calendar information from at least one organization-of-interest to a party. Furthermore, *Conmy* does not generate a calendar source list comprising type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a part. Moreover, *Conmy* does not generate a calendar source list that further comprises a native format of the first calendar, a delivery format, and a delivery method. For at least these reasons, *Conmy* does not anticipate Applicants' independent claim 20.

Because independent claim 20 is allowable, dependent claims 21 - 30, which depend either directly or indirectly from claim 20, are also allowable for at least the same reasons as claim 20. See *In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 20 - 23, 25, 26, and 28 - 30 be withdrawn.

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In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). The proposed combination fails to suggest all features of the claimed invention.

Claims 2, 5 - 11, 14, 16, 17 depend directly or indirectly from Applicants' independent claim 1. As discussed above, claim 1 includes "an interface configured to receive a calendar source list generated by a first party, the calendar source list comprising type, identification, and format source identifiers, a native format, a delivery format, and a delivery method, wherein the source includes information compiled by an organization-of-interest to the first party." As discussed above, *Conmy* fails to disclose, teach, or suggest at least this element. The remaining references fail to remedy the failure of *Conmy* to disclose, teach, or suggest the Applicants' claimed interface. Accordingly, claims 2, 5 - 11, 14, 16, 17 are allowable over the proposed combinations and the rejections should be withdrawn.

Claims 24 and 27 depend directly or indirectly from Applicants' independent claim 20. As discussed above, claim 20 includes "generating a calendar source list comprising: type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a party; a native format of the first calendar; a delivery format; and a delivery method." As discussed above, *Conmy* fails to disclose, teach, or suggest at least this element. The remaining references fail to remedy the failure of *Conmy* to disclose, teach, or suggest the Applicants' claimed calendar source list. Accordingly, claims 24 and 27 are allowable over the proposed combinations and the rejections should be withdrawn.

CONCLUSION

In summary, Applicants respectfully request that all outstanding claim rejections be withdrawn. Applicants respectfully submit that all pending claims 1 - 3, 5 - 11, 14 - 17, and 20 - 30 are allowable over the cited art and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comment regarding the Applicants' response or believe that a teleconference would expedite prosecution of the pending claims, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

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